

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SWIRLATE IP LLC,

Plaintiff,

v.

ZETRON, INC.,

Defendant.

C21-866 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's ex parte motion,¹ docket no. 9, for leave to amend its complaint is STRICKEN without prejudice. Pursuant to Federal Rule of Civil Procedure 15(a)(1), plaintiff may amend its pleading as a matter of course within 21 days after serving it or within 21 days after a responsive pleading or motion is filed. The record contains no proof of service or waiver of service of the complaint, and defendant has not answered or sought to dismiss the complaint. Thus, plaintiff does not appear to require leave of the Court to file an amended pleading.

(2) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 31st day of August, 2021.

Ravi Subramanian

Clerk

s/Gail Glass

Deputy Clerk

¹ Plaintiff has indicated in its motion that defendant does not oppose the pending motion; however, because defendant is a business entity that may not litigate pro se before this Court and because no attorney has appeared on defendant's behalf, the Court cannot rely on plaintiff's representation concerning defendant's position about the proposed revisions to the complaint.